

INDIANA COMMISSION ON PROPRIETARY EDUCATION
Minutes of the December 10, 2008 Meeting
Indiana Government Center – South, Room # 1, Indianapolis, Indiana

CALL TO ORDER

Chairman Sue Uhl called the meeting to order at 10:00 a.m.

IN ATTENDANCE

Board: Ken Konesco, Dr. Ken Sauer, Patricia Shutt, Sue Uhl and David Wu.

Staff: Lynn Adams, Tara Adams, Dinell Edge, Ross Miller, Jodi White

Guests: Mark Palumbo, Brown Mackie College, Merrillville; Russ Kennedy, Art Institute of Indianapolis; Paul Weathersby, Kim Zornes, Indiana Business College; Luke Knoke, Jim Bishop, Brown Mackie College; Bill Coit, DeVry University; Mary Harmon, Deb Cordes, Med Tech College; John Carreon, Kaplan Colleges; Wendy Kandel, ITT Educational Services; Diana Lawrence and Mark Aguilera, Art Institute of Indianapolis; Glenna Shelby, Indiana Association of Private Career Schools; Emily Shelman, Governor's Office; Rick Weiss

MEETING

Consideration of the Minutes of the September 10, 2008

Ms. Uhl called for a motion to accept the minutes of the September 10, 2008, meeting as written. Ms. Shutt made the motion; Mr. Konesco seconded the motion; the motion was unanimously approved.

Hearing Actions

A. Student Refund and Claim Validation of Everett Keen against Professional Career Academy, Indianapolis, Indiana

Staff Recommendation

Ms. White presented the staff report recommending that Everett Keen receive a refund of \$8028.80 from the institutional surety bond provided by the Professional Career Academy (PCA), Indianapolis, Indiana.

Background

PCA accepted payment from Mr. Keen for an instructional program that they failed to provide. Mr. Keen filed a formal complaint with the commission seeking assistance in obtaining his refund. The Director of Regulatory Compliance ruled in favor of the student and ordered payment from PCA. PCA never made the refund as ordered.

When an institution fails to issue a refund as ordered, a hearing is conducted before the Board of Commissioners to validate the claim and order payment from the institutional surety bond. Ms. Shutt made the motion to accept the staff recommendation. Mr. Wu seconded the motion; and the motion was unanimously adopted.

B. Adoption of Findings of Facts and Conclusions of Law

Professional Career Academy vs. Alona Ragland

Mr. Konesco made the motion to accept staff's recommendation to adopt the Conclusions of Law of Administrative Law, Judge Jan Kruescher, that there was no evidentiary or legal basis to impose sanctions on Professional Career Academy or to order a refund to Ms. Ragland. Dr. Sauer seconded the motion; the motion was unanimously adopted.

C. Adoption of Findings of Facts and Conclusions of Law

Ashley Logan vs. Center for Vital Living School of Massage Therapy

Mr. Konesco made the motion to accept staff's recommendation to adopt the Conclusions of Law of the Administrative Law Judge, Jan Kruescher, that the Center for Vital

Living owes no refund to petitioner, Ashley Logan. Ms. Shutt seconded the motion. The motion was unanimously adopted to accept the ruling of the Administrative Law Judge.

NEW BUSINESS

A. Art Institute of Indianapolis, Indianapolis, Indiana – New Degree Request

Staff Recommendation

Mr. Miller, representing commission staff, recommended that the Art Institute of Indianapolis be granted approval to award the Associate of Science in Baking and Pastry. Mr. Wu made the motion. Mr. Konesco seconded the motion. The motion was unanimously adopted.

B. Brown Mackie Colleges, Merrillville and Fort Wayne, Indiana – New Degree Requests

Staff Recommendation

Mr. Miller, representing commission staff, recommended that Brown Mackie College, Fort Wayne, Indiana be granted the authority to award the following degrees.

Associate of Science in Dietetics Technology
Associate of Science in Health and Fitness Training
Associate of Science in Office Management

Mr. Miller also recommended that Brown Mackie College, Merrillville, Indiana be granted the authority to award the following degrees.

Associate of Science in Dietetics Technology
Associate of Science in Health and Fitness Training

A lengthy discussion followed with concern centering on the award of an associate of science degree in the Health and Fitness Training and the Dietetics Technology programs without a bachelor's level program into which students could articulate. It was suggested that since the health type programs are terminal they would be more appropriately approved as associate of applied science degrees. Mr. Miller advised that the two programs in question do not meet the criteria for an associate of applied science degree.

It was recommended that action be tabled until Brown Mackie decides if they will change the two health related programs to meet the associate of applied science criteria or develop a bachelor program into which students with those degrees could articulate. Mr. Konesco made the motion. Dr. Sauer seconded the motion. The motion was unanimously adopted.

A separate motion was made to approve the request to offer the Associate of Science in Office Management at both the Fort Wayne and Merrillville locations as graduates can articulate into the BS in Office Management. Ms. Shutt made the motion. Dr. Sauer seconded the motion. The motion was unanimously approved.

C. DeVry University, Indianapolis and Merrillville, Indiana – New Degree Requests

Staff Recommendation

Mr. Miller presented the staff report recommending that DeVry University, Merrillville, Indiana be granted the authority to award the Associate of Applied Science in Web Graphic Design and the Bachelor of Science in Multimedia Design and Development.

Mr. Miller also recommended that DeVry University, Indianapolis, be granted approval to award the Bachelor of Science in Multimedia Design and Development. Dr. Sauer made the motion to accept staff's recommendations. Mr. Konesco seconded the motion. The motion was unanimously approved.

D. Indiana Business College, Columbus and Indianapolis, Indiana – New Degree Requests

Staff Recommendation

Mr. Miller, representing commission staff, recommended that Indiana Business College, Columbus be granted approval to award an Associate of Applied Science in Human Resources;

and that Indiana Business College, Indianapolis be granted approval to award the Bachelor of Science in Information Technology.

David Wu made the motion to accept staff's recommendations. Dr. Sauer seconded the motion. The motion was passed with four aye votes; Mr. Konesco abstained from the vote.

E. ITT Technical Institute, Fort Wayne and Newburgh, Indiana

Staff Recommendation

Mr. Miller, representing commission staff, recommended that ITT Technical Institute, Fort Wayne, Indiana be granted the authority to award the following degrees.

AAS Business Accounting Technology
AAS Business Administration
AAS Computer Forensics
AAS Construction Technology
AAS Information Systems Administration
AAS Web Design
BS Business Accounting Technology
BS Business Administration
BS Criminal Justice Cyber-Security
BS Nursing
BS Project Management

Mr. Miller also recommended that ITT Technical Institute, Newburgh, Indiana be granted approval to award the BS in Project Management.

Wendy Kandel, representing ITT Educational Services, explained that none of the degrees are new to the ITT system; they are presently being offered at the Indianapolis campus and other locations throughout the country. She added that all of the degrees will also be offered on-line except for the degree at the Newburgh location.

Mr. Konesco made the motion to accept the staff recommendation. Dr. Sauer seconded the motion. The motion was unanimously approved.

F. Kaplan College, Hammond, Indianapolis, Indianapolis – South East, and Merrillville, Indiana – New Degree Requests

Staff Recommendation

Mr. Miller, representing commission staff, recommended that the following degrees be approved at the following Kaplan locations.

Hammond	AAS Computer Networking Technology
Indianapolis (SE)	AS Criminal Justice
	AAS Medical Practice Management
Indianapolis	AAS Medical Practice Management
	AAS Medical/Clinical Lab Technician
Merrillville	AAS Computer Networking Technology

Mr. Konesco made the motion to accept the staff's recommendation. Mr. Wu seconded the motion. The motion was unanimously approved.

G. MedTech College, Fort Wayne, Greenwood, and Indianapolis, Indiana

Staff Recommendation

Mr. Miller, representing commission staff, recommended that the MedTech Colleges at the aforementioned locations should be granted the approval to award the Associate of Science in Registered Nurse.

Ms. Shutt made the motion. Mr. Wu seconded the motion. The motion was unanimously approved.

H. New Director for COPE

Chairman Uhl introduced Claudia Braman as the new commissioner for the Commission on Proprietary Education with approval of the Board. Mr. Konesco made the motion; Mr. Wu seconded the motion; the motion was unanimously adopted accepting Claudia Braman as Commissioner for the Indiana Commission on Proprietary Education.

ADJOURNMENT

All business was concluded and the meeting was adjourned by Chairman Uhl at approximately 11:45 a.m.

Commission Secretary

Date

Minutes of 12-10-08